

1 GILADI

2 Q. Just so I'm clear. I am not talking
3 about a trip to Israel for the purposes of medical
4 care, I'm talking about a trip to Israel for any
5 reason.

6 A. I said I may have went. You asked me
7 if I went and I tell you I may have went, but not
8 for medical reasons, that's why I don't have it in
9 the chart.

10 Q. Do you currently have your American and
11 Israeli passports?

12 A. I have them.

13 Q. When did you last renew your American
14 passport?

15 A. I do not recall.

16 Q. Do you have your passports for, to
17 cover the period of time November '91 through June
18 of '93?

19 A. I may. I should. I don't recall.

20 Q. Do you keep any records of your travels
21 to Israel?

22 A. No.

23 Q. Airline tickets, frequent flyer miles,
24 anything like that?

25 A. No.

1 GILADI

2 Q. What airline do you typically fly?

3 A. Who give me the better rate.

4 Q. Other than 1199, did you get disability
5 payments from any other source?

6 A. No.

7 Q. The number at the bottom, the
8 \$13,140.66, does that constitute the entirety of
9 your lost earnings for this period of time?

10 A. This constitutes all the time that I
11 took for -- for taking care of my medical condition
12 related to my hand. If this time is being paid by
13 disability or being paid by my work, but I could
14 use this time for my pleasure, which I did not do.

15 Q. Is it fair to say that the 132 sick
16 hours that you used, were used for the purposes of
17 illness?

18 A. Of my hand, yes.

19 Q. The leave with pay that is referred to,
20 what is that category?

21 A. Leave with pay hours?

22 Q. Yes.

23 A. This is compensatory hours.

24 Q. What do you mean by "compensatory
25 hours"?

1 GILADI

2 A. I work overtime and I took to my
3 account hours that they pay me back with time.
4 So I could take it for any reason I wanted, but
5 I was not feeling well and I -- I couldn't take
6 sick time, I took compensatory time.

7 Q. At any time after June 1993, did you
8 seek work?

9 A. What do you mean if I "seek work"?

10 Q. Did you look for work at any time --

11 A. I was working.

12 Q. Where were you working in June 1993?

13 A. Albert Einstein College of Medicine.

14 Q. When did you stop working there?

15 A. August '94.

16 Q. Have you looked for work at all, since
17 August of 1994?

18 A. No. No if I looked, I tried to look
19 for job.

20 Q. What did you do to try to look for a
21 job?

22 A. I spoke with friends who knows people.
23 I called ads from the newspapers.

24 Q. Anything else?

25 A. I went to workshops.

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2 Q. Anything else?

3 A. That's what I recall.

4 Q. Do you recall the names of any of the
5 companies that you responded to newspaper ads from?

6 A. No.

7 Q. Approximately how many newspaper ads
8 did you respond to?

9 A. We are talking about a long period of
10 time. I cannot recall.

11 Q. Over what period of time are we talking
12 about looking for work?

13 A. I was looking since, for a period of at
14 least two years I was, three years I was doing it.
15 Whenever I thought something, I can fit in.

16 Q. Whenever you --

17 A. I felt that this job may be filled in,
18 I can do it with some -- with some accommodation.

19 Q. Over that two-year period of time, do
20 you remember the names of any companies you applied
21 to?

22 A. No.

23 Q. Do you have any letters or
24 correspondence, either from or to any of those
25 companies?

1 GILADI.

2 A. No. I was doing most of it by phone.

3 Q. What sort of jobs were these, that you
4 were applying for?

5 A. I was applying for some photography
6 work. Some administration, some -- video work,
7 but -- I did not get anything.

8 Q. Do you remember the names of any of the
9 workshops you attended?

10 A. It was at my school when I was
11 attending school, so I went there.

12 Q. What school did you attend?

13 A. I attend Bergen Community College.

14 Q. I am sorry?

15 A. Bergen Community College. And --
16 Ramapo College.

17 Q. Which did you attend first?

18 A. Bergen Community College.

19 Q. And when did you attend Bergen
20 Community College?

21 A. I believe from '94 to '96 or '97. I
22 cannot give you the date, but I know it's from '94
23 sometime September '94 for two years. Something
24 like that.

25 Q. Did you obtain a degree?

1 GILADI

2 A. Yes.

3 Q. What was that degree in?

4 A. Associate degree in management.

5 Q. Did you have any particular area of
6 interest in your degree, a major?

7 A. Management.

8 Q. And then you went to Ramapo College?

9 A. Yes.

10 Q. What period of time were you at Ramapo
11 College?

12 A. I believe I, immediately after
13 graduating from Bergen Community College, and if I
14 am not mistaken, I graduate from there in 1998.

15 Q. Did you obtain a degree?

16 A. Yes.

17 Q. What was your degree?

18 A. Bachelor in management.

19 Q. BA or BBS?

20 A. BA.

21 Q. Have you had any formal education since
22 then?

23 A. Since then?

24 Q. Yes. Have you attended any other
25 classes, courses, schools?

1 GILADI

2 A. No.

3 Q. You mentioned that as part of your job
4 search you attended workshops.

5 Do you recall the names of any of those
6 workshops?

7 A. It was through the school so I cannot
8 tell you.

9 Q. Did you avail yourself of the services
10 of any placement offices at either of these
11 schools?

12 A. I spoke with the management there. And
13 one time I was talking with somebody from, who came
14 to the school from the disability office from
15 Trenton, if I am not mistaken, and he told me that
16 with my disability it's very difficult for me to
17 find a job so --

18 Q. What is your disability?

19 A. What is my disability?

20 Q. Yes.

21 A. Where would you like me to start?

22 Q. Anywhere you feel comfortable?

23 A. Okay, I have constant pain in my elbow,
24 I have weakness in my left hand. I have back
25 injury. I have carpal tunnel in my right hand. I

1 GILADI

2 also have carpal tunnel in my left hand. Which
3 Dr. Strauch said he took care of it, but looks like
4 he didn't.

5 Q. Anything else?

6 A. I think it's enough.

7 Q. Which elbow do you have pain in?

8 A. The left elbow.

9 Q. When you referred to "a back injury,"
10 is that the disk problem we discussed earlier?

11 A. That's correct.

12 Q. In what way does the pain in your back
13 disable you?

14 A. As I said before, I cannot push, I
15 cannot pull, I cannot lift heavy stuff or
16 material. I cannot sit for long, I cannot stand
17 for long.

18 Q. When you say you "cannot lift heavy
19 items," how heavy an item are you able to lift?

20 A. I did not, whenever I tried when I was
21 back at work, it was -- impossible. It wasn't
22 possible so I cannot tell you exactly the weight.

23 Q. Is there anything you come across in
24 your typical daily routine, that you are unable to
25 lift?

1 GILADI

2 A. Unable to --

3 Q. That you are unable to lift;

4 MR. DINHOFFER: At present.

5 A. At present?

6 Q. Yes.

7 A. There are items I cannot if this is --

8 a heavy book I -- it's difficult for me to carry it

9 with my left hand. I have to do it with my right.

10 Q. We are talking about your back at the
11 moment.

12 A. I really -- I am not, I am very limited
13 in what I do and I am trying not to cause myself
14 aggravation so I am limiting myself from causing
15 myself pain so I cannot give you the answer for
16 that.

17 Q. Well when you look at something, and in
18 your typical daily routine how do you decide
19 whether or not you can lift it or not?

20 A. At the present time I am not looking at
21 a lot of things so I cannot tell you exactly what
22 you are talking about.

23 Q. Well, you mentioned that you are
24 disabled because of your back?

25 A. That's correct.

GILADI

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Q.

What I'm trying to find out, in what way does that disability manifest itself in your daily basis in your life?

A.

If somebody that I know before caused me aggravation, I am not going to do it again. And if I assume that it will cause me aggravation, I am not going to do it.

Q.

What factors go into assuming it will cause you aggravation?

A.

If I see somebody else having difficulty carrying in something I assume, if something is 50 pounds I am not going to touch it. If 70 pounds, I am absolutely, I am not even going to come close to it.

Q.

Around your house on Wedgewood Avenue, are there things that you encounter in your daily routine, that you cannot lift because of your back?

A.

There is nothing there that I can, nothing there in the area that I can -- think about it. I cannot do or can't or can do.

Q.

Do you drive a car?

A.

I drive.

Q.

Do you own a car?

A.

Yes, I do.

GILADI

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Q. Do you have a driver's license?

3

A. Yes.

4

Q. From where?

5

A. New Jersey.

6

Q. Are there any restrictions on your

7

driver's license?

8

A. I am disabled.

9

Q. Are there any specific restrictions on

10

your driver's license?

11

A. No.

12

Q. Did you have to fill out a form to get

13

a disability?

14

A. Sticker?

15

Q. Sticker.

16

A. Yes, I did.

17

Q. That was sent to the New Jersey

18

Department of Motor Vehicles?

19

A. That's correct.

20

Q. Did you need a doctor's signature for

21

that?

22

A. Yes.

23

Q. Who signed that?

24

A. Dr. Joel Cohen.

25

Q. Do you still have a copy of the

GILADI

1

2 certificate that Dr. Cohen submitted?

3

A. No.

4

Q. Do you know what restrictions, if any, Dr. Cohen included in terms of your disability?

6

A. I believe, I cannot tell you exactly, but I believe he was talking about my back because it's the only thing I went to him for. He was my back doctor.

10

Q. You mentioned you have pain in your elbow. Currently?

11

12

A. I am talking what with you now, with pain.

13

14

Q. I see you have a brace of some sort on your left arm?

15

16

A. That's correct.

17

Q. Left forearm?

18

A. That's correct.

19

Q. When did you first start wearing that?

20

A. I cannot remember.

21

Q. Do you have any recollection of when, after Dr. Strauch's surgery, if it was after Dr. Strauch's surgery, that you started wearing that brace?

22

23

24

25

A. Yes.

1 GILADI

2 Q. When was that?

3 A. I cannot give you the date.

4 Q. I will take a season, a month, a year?

5 A. When my carpal tunnel syndrome symptoms
6 returned.

7 Q. When was that?

8 A. I cannot tell you, I cannot tell you.

9 Q. Do you have any recollection of any
10 other events occurring around the time that your
11 carpal tunnel symptoms returned?

12 A. From working.

13 Q. The carpal tunnel syndrome symptoms
14 returned after you returned to work?

15 A. I had the carpal tunnel syndrome after
16 the surgery, but I never made a big deal of it, as
17 I said before, it was swollen for a long period of
18 time, and swollen with pressure on the nerve, my
19 understanding from the physician when I was talking
20 with him, so I always, I was thinking this is a
21 temporary condition. And then I had periods
22 that, it was, I was taking some medication that
23 relieved the pain, but when I was working it became
24 to be painful, so I had to put the splint.

25 Q. Who provided you with the splint?

1 GILADI

2 A. I believe, I do not recall.

3 Q. Where did you obtain the splint from?

4 A. From -- from a company.

5 Q. Which company?

6 A. The first one I bought with one of the

7 pharmacies -- I cannot tell, I do not recall

8 exactly how all the events. I know that -- I know

9 that I got it.

10 Q. We were discussing the pain in your
11 elbow. Is that the carpal tunnel pain that you are
12 referring to or is that something else?

13 A. The pain in my elbow is more on the
14 ulnar nerve distribution. I have some pain with
15 the carpal tunnel, but not as bad as on the ulnar
16 nerve distribution.

17 Q. What is "the ulnar nerve distribution"?

18 A. Meaning where, this is the best that
19 Dr. Strauch theory, explanation of him, that

20 whenever comes, the lower part of my hand

21 (indicating), what is going to the finger, the --

22 what is it called -- number 5 and number 4 fingers,

23 when the thumb is number 1. So when you have the

24 pain on the lower part of your hand and goes to the

25 finger, this is the ulnar nerve distribution, this

1 GILADI

2 is the pain I have, most of the pain I have in the
3 ulnar distribution at the moment.

4 MR. DINHOFER: Indicating the side of
5 his wrist, opposite the thumb or under the pinky.

6 Q. When you say "the pain," where does the
7 pain exist?

8 A. The pain exists from the front of
9 around the one-third from the bottom, goes
10 around it, and here (indicating), to the other side
11 of almost the same area (indicating).

12 Q. You are saying the palm side of your
13 wrist?

14 A. From the palm side of the wrist, the
15 put it this way, the pain is really, mostly it's
16 inside here (indicating), I cannot give you exactly
17 the details.

18 Q. Below the pinky.

19 MR. DINHOFER: Below the pinky on the
20 side of the wrist, more or less?

21 THE WITNESS: Yes.

22 Q. Anywhere else?

23 A. If I don't do anything with my hand,
24 that's the only place I have pain, beside the
25 elbow.

1 GILADI

2 Q. That's what I was asking.

3 A. Beside the elbow.

4 Q. So you have pain at the wrist, the area
5 you just described, and at the elbow?

6 A. That's correct.

7 Q. Do you take any medication for the pain
8 at your wrist, or your elbow?

9 A. As I said before, I am taking the
10 Tylenol and the Advil, and I am -- I am not taking
11 any other medication at the moment.

12 Q. How often do you have pain at your
13 wrist?

14 A. The pain in my wrist is, even with
15 medication it does not do any good to me. With my
16 wrist, my put it this way, everything related to
17 the ulnar nerve distribution from the elbow to the
18 wrist, medication really does not do a lot.

19 Q. My question, sir, is how often do you
20 have pain at your wrist?

21 A. I said mostly all the time, with
22 various levels.

23 Q. How would you describe the various
24 levels?

25 A. It goes from, if you go from the scale

1 GILADI

2 of one to ten, and ten is very painful, and one is
3 no pain at all. I go from -- six and a half to
4 ten.

5 Q. Does the pain that you described going
6 from six and a half to ten, seem to vary with any
7 factors?

8 A. Yes.

9 Q. What factors?

10 A. If somebody touch my elbow, that will
11 be ten.

12 Q. Any other factors?

13 A. If I will carry something with my hand,
14 it will increase, depends how long I will carry
15 what I am carrying.

16 Q. What sort of things are you able to
17 carry with your left hand?

18 A. I can carry a book. Not a big book,
19 but -- like a normal book of -- maybe 150, 200
20 pages.

21 Q. Anything else?

22 A. Just when I am going to school, that's
23 mostly the thing I used to do, that's why I can
24 tell you about the books.

25 Q. In your activities around your house

1 GILADI

2 during the day, what sort of things do you do,
3 involving your left arm?

4 A. Almost none. Beside the -- when I
5 drive, I drive with two hands!

6 Q. Do you wear the brace when you drive?

7 A. Depends on -- on the condition of the
8 pain.

9 Q. So there are times when you drive a car
10 without the brace, and then there are times when
11 you drive a car with the brace?

12 A. That's correct.

13 Q. Do you wear the brace when you travel?

14 A. What do you mean "travel"?

15 Q. When you go to Israel.

16 A. Sometimes I do, sometimes I don't.

17 Q. Are you able to use your arm, your left
18 arm?

19 A. Your left hand, for example, to get
20 dressed in the morning, to get dressed?

21 Q. Dressed.

22 A. I can dress, but I have -- I have
23 difficulty with sometime.

24 Q. Are there any activities that you do on
25 a daily basis that you have difficulty with,

1 GILADI

2 because of your left hand or your elbow?

3 A. One thing is -- I cannot drive a shift
4 car. I can drive, but I cannot drive on continuous
5 basis on a regular basis. That's why I have
6 automatic car. I need to have a wide car.

7 Q. A what car?

8 A. A wide (indicating). So I have my
9 elbow away from the door and the window.

10 I cannot play with my nieces and
11 nephews the way I would like to play.

12 Q. Who are your nieces and nephews?

13 A. My brother's and sister's children.

14 Q. Names?

15 A. It's 25 of them.

16 Q. Are they in the United States or in
17 Israel?

18 A. In Israel.

19 Q. What are their names?

20 A. Moshe, Moshe, Moshe, Moshe, Moshe,
21 Inbal, Raud (phonetic).

22 Q. You have to spell for the reporter?

23 A. I know this in Hebrew. Shoam.

24 MR. DINHOFFER: R-U-T-H. Go ahead.

25 A. Shoam.